



# DECLARATION AND POWER OF ATTORNEY

Atty. Dkt. No.: 5074A-000069

## DECLARATION

I hereby declare that:

Each inventor's residence, mailing address and citizenship are as stated below next to their name,

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### METHOD AND APPARATUS FOR SURGICAL NAVIGATION

the specification of which (check one)

is attached hereto.  
or  
 was filed on October 17, 2003 as United States Application Number or PCT International Application No. 10/688,068 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)				
APPN. SERIAL NO.	COUNTRY	DATE FILED (MM/DD/YYYY)	PRIORITY CLAIM	
			Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

## **DECLARATION AND POWER OF ATTORNEY**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### **POWER OF ATTORNEY**

I hereby appoint each practitioner at Customer No. 27572 of Harness, Dickey & Pierce, P.L.C., my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

### **CORRESPONDENCE ADDRESS**

I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Customer No. 27572, Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

## DECLARATION AND POWER OF ATTORNEY

**Full name of sole or first inventor:** John H. Dukesherer

Inventor's signature: John H. Dukesherer

Date: 3/5/04

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Citizenship: United States of America

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**Full name of second joint inventor, if any:** Bruce M. Burg

Inventor's signature: Bruce M. Burg

Date: 3/5/04

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*Bradley A. Jasco b BAJ  
3/5/04*

**Full name of third joint inventor, if any:**

*John B. Jacob*

Inventor's signature: *John B. Jacob*

Date: 3/5/04

Residence: 720 E. Wiggins street, Superior, CO 80027

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Mailing Address: same as above

**Full name of fourth joint inventor, if any:** Paul Kessman

Inventor's signature: *Paul Kessman*

Date: 3/5/04

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